## EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2007-1051-PWS-E TCEQ ID: RN101376283 CASE NO.: 34101 RESPONDENT NAME: Monarch Utilities I L.P.

X 1660 AGREED ORDERFINDINGS AGREED ORDERFINDINGS ORDER FOLLOWING SOAH HEARING	
SOM MANAGE	
FINDINGS DEFAULT ORDERSHUTDOWN ORDERIMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER	
_AMENDED ORDEREMERGENCY ORDER	
CASE TYPE:	
AIRMULTI-MEDIA (check all that apply)INDUSTRIAL AND HAZARDOUS WASTE	S
X PUBLIC WATER SUPPLYPETROLEUM STORAGE TANKSOCCUPATIONAL CERTIFICATION CERTIFICA	ON
WATER QUALITYSEWAGE SLUDGEUNDERGROUND INJECTION CONTROL	
MUNICIPAL SOLID WASTERADIOACTIVE WASTEDRY CLEANER REGISTRATION	1
SITE WHERE VIOLATION(S) OCCURRED: Metroplex Homesteads Water Supply, 9218 Gina Lane, Johnson County  TYPE OF OPERATION: Public water supply  SMALL BUSINESS:YesX_No  OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regard facility location.  INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.  COMMENTS RECEIVED: The Texas Register comment period expired on November 5, 2007. No comments were received.  CONTACTS AND MAILING LIST:  TCEQ Attorney/SEP Coordinator: None  TCEQ Enforcement Coordinator: Mr. Epifanio Villarreal, Enforcement Division, Enforcement Team 2, MC R-13, (210) 4 4033; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  Respondent: Mr. David Yohe, Regional Regulatory Compliance Manager, Monarch Utilities I L.P., 9511 Ranch Road 620 North, Austin, Texas 78726-2908  Mr. Bill Jasura, Vice President, Monarch Utilities I L.P., 9511 Ranch Road 620 North, Austin, Texas 78726-2908  Respondent's Attorney: Not represented by counsel on this enforcement matter	03-

#### **VIOLATION SUMMARY CHART:** CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED: 1001 Type of Investigation: Corrective Actions Taken: Total Assessed: \$2,835 Complaint 1) The Executive Director recognizes that the X Routine **Total Deferred: \$567** \_\_\_ Enforcement Follow-up Respondent implemented the following X Expedited Settlement corrective measures at the Facility: Records Review Financial Inability to Pay a. Submitted photographs on May 31, 2007, Date(s) of Complaints Relating to this demonstrating that the leaking sight glass Case: None SEP Conditional Offset: \$0 valve on plant 4's pressure tank has been repaired; and Date of Investigation Relating to this Total Paid to General Revenue: \$2,268 Case: May 23, 2007 b. Submitted photographs on June 27, 2007, Site Compliance History Classification demonstrating that the gap in the gate at plant Date of NOV/NOE Relating to this Case: High \_\_ Average Poor 2 was repaired. June 18, 2007 (NOE) **Person Compliance History Classification Ordering Provisions:** Background Facts: This was a routine High X Average Poor investigation. 2) The Order will require the Respondent to: Major Source: X Yes No WATER a. Within 60 days after the effective date of Applicable Penalty Policy: September 2002 this Agreed Order, secure the 1) Failed to provide a pressure tank hypochlorination solution containers at capacity of 20 gallons per connection for plants 1 through 5, in an enclosure that pressure planes two, three, and five [30 protects them from vandalism and adverse TEX. ADMIN. CODE § 290.45(b)(1)(D)(iv) weather conditions; and and Tex. HEALTH & SAFETY CODE § 341.0315(c)]. b. Within 75 days after the effective date of this Agreed Order, submit written 2) Failed to house the hypochlorination certification and include supporting solution containers at plants 1, 2, 3, 4, and documentation including photographs, 5 in secure enclosures to protect them from receipts, and/or other records to demonstrate adverse weather conditions and vandalism compliance with Ordering Provision 2.a. [30 Tex. Admin. Code § 290.42(e)(5)]. c. Within 90 days after the effective date of 3) Failed to provide an intruder-resistant this Agreed Order: fence to protect plant 2 [30 Tex. ADMIN. CODE § 290.41(c)(3)(O)]. i. Provide a pressure tank capacity of 20 gallons per connection for pressure planes 4) Failed to maintain all treatment units, two, three, and five; and storage and pressure maintenance facilities, distribution system lines and ii. Provide a service pump capacity of 2.0 related appurtenances in a watertight condition [30 Tex. ADMIN. CODE § gpm for pressure plane two. 290.46(m)(4)]. d. Within 105 days after the effective date of this Agreed Order, submit written 5) Failed to provide two or more service certification and include supporting pumps having a total capacity of 2.0 documentation including photographs, gallons per minute ("gpm") per connection receipts, and/or other records to demonstrate for pressure plane two [30 Tex. ADMIN. compliance with Ordering Provision 2.c. CODE § 290.45(b)(1)(D)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Policy Revision 2 (Sep	Penalty Calculation	n Worksheet (P	•	on May 25, 2007
TCEQ				
DATES Assigned PCW		EPA Due		113 1985 2
RESPONDENT/FACILITY	/INFORMATION			
Respondent	Monarch Utilities I L.P.			
Reg. Ent. Ref. No. Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Major	
CASE INFORMATION				
Enf./Case ID No.		No. of Violations		
	2007-1051-PWS-E	Order Type		0000
	Public Water Supply		Epifanio Villarreal EnforcementTeam 2	
Multi-Media Admin. Penalty \$		\$1,000	Emorosmont sum 2	
	Penalty Calcula	tion Section		
TOTAL BASE PENA	LTY (Sum of violation base penaltie		Subtotal 1	\$2,700
ADJUSTMENTS (+/-	TO SUBTOTAL 1			
Subtotals 2-7 are obta	ined by multiplying the Total Base Penalty (Subtotal 1) by tory 5%		otals 2, 3, & 7	\$135
Notes	The penalty enhancement is due to one containing violations that are the same as o the current enforcement	or similar to the violations in		
Culpability	No 0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the	e culpability criteria.		MATTER INTERNATIONAL PROPERTY AND ADMINISTRATION AN
Good Faith Effo Extraordinar Ordinar N/	Before NOV NOV to EDPRP/Settlement Offer	Reduction	Subtotal 5	\$0
Note		e good faith criteria.		AND
Арргох		Enhancement* at the Total EB \$ Amount	Subtotal 6	\$0
SUM OF SUBTOTAL	\$1-7		Final Subtotal	\$2,835
	AS JUSTICE MAY REQUIRE Subtotal by the indicated percentage. (Enter number only	/; e.g30 for -30%.)	Adjustment	\$0
Notes <sup>-</sup>				
		Final Pe	enalty Amount	\$2,835
STATUTORY LIMIT	ADJUSTMENT	Final Ass	essed Penalty	\$2,835
<b>DEFERRAL</b> Reduces the Final Assessed Po	enalty by the indicted percentage. (Enter number only; e.g.	20% Reduction g. 20 for 20% reduction.)	Adjustment	-\$567
Notes	Deferral offered for expedite	ed settlement.		
PAYABLE PENALT	Υ			\$2,268

Screening Date 20-Jun-2007

Docket No. 2007-1051-PWS-E

PCW

Respondent Monarch Utilities I L.P.

Case ID No. 34101

Policy Revision 2 (September 2002) PCW Revision May 25, 2007

Reg. Ent. Reference No. RN101376283 Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

<u>_C</u>	omponent	Number of	nter Number Here	Adjust.
	NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	10. <b>1</b>	5%
		Other written NOVs	0.	0%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
-	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	nd Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	.0	0%
	Emissions	Chronic excessive emissions events (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	O A Partier	0%
	andin w	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	ji <b>U</b> Nga Kada Masa sa basa	0%
_		Plea	se Enter Yes or No	
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
ŀ	Othor	Participation in a voluntary pollution reduction program	No No	0%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	g B	Adjustment P		-
eat '	Violator (Su	btotal 3)		
[	N/A	Adjustment P	ercentage (Su	btotal 3)
nplia	ance History	Person Classification (Subtotal 7)		
	Average Po	erformer Adjustment P	ercentage (Su	btotal 7)
nplia	ance History			
C	Compliance History Notes	The penalty enhancement is due to one prior Notice of Violation containing violations that are or similar to the violations in the current enforcement action.	e the same as	in indic Signification Visit in the

Scre	ening Date	20-Jun-2007		Do	cket No. 2007-105	51-PWS-E		PCW
	espondent		ies I L.P.				Policy Revi	sion 2 (September 2002)
	ase ID No.			* •			PCV	V Revision May 25, 2007
Reg. Ent. Ref								MERIMANIAN
	a [Statute]							o-control control cont
	oordinator tion Number		real					on maintenance
Viola	Rule Cite(s)		Admin Code	8 290 45(h)(1)(l	D)(iv) and Tex. Heal	th & Safety Coc	te 8	and the second s
	rtaio ono(o)	00 10/1			315(c)		3	Control of
Violation	ı Description	planes two pressure plan gallons for pu three's 236 co	o and three. S ne, the system ressure plane onnections. He	pecifically, base n should provide two's 328 conne owever, the syst allons for pressu	or of 20 gallons per c d on the number of minimum pressure ections and 4,720 ga em only provided 5, re plane three, which cient.	connections for tank capacities Illons for pressu 000 gallons for	r each of 6,560 ure plane pressure	
						Base	e Penalty	\$1,000
>> Environmental	. Property a	ınd Human	Health Mat	rix	Section 1977	100 1100 1100		na.com mpanowa.er
	COLOR SECTION	TO DESCRIPTION OF THE PROPERTY	Harm		e-filosophisch S.C. States ausberötet bilde bed det P.C. Diebeit			
OR	Release Actual	Major	Moderate	Minor				AMARIA WA ATA
<b>71</b>	Potential		X		Percent	25%		паличинаний
200				and the second of the second o				
>>Programmatic I	<b>Matrix</b> Falsification	Major	Moderate	Minor				•
	1 alsilication	IVIAJOI	Moderate		Percent	0%		an maccommission .
				<u> </u>				SALADA CONTRACTOR
Matrix Notes	Without so pressure and	ufficient press I water outage	s, and the sys	city, customers stem's ability to pustomers could b	of the water system provide a safe and a pe impaired.	could experiend dequate supply	ce low of water	
	555 CEC 1403 A.A. VOC 6 13 P	n sem proposition a finglese of	ayeen menyan elenahari			18.00	\$750	HAVOVOORIN-POOL
tari shifithini dan Malesi ita	at the second second	656arion kitali	asa Kalasiah dan da R	Professional	Adjustme	<u>nt</u>	\$750	NO STATE OF THE ST
								\$250
Violation Events	e-tall salabat - anabatelesi salabat	Access and	is a company of the c		PRODUCTION OF THE PRODUCTION O			A AND AND AND AND AND AND AND AND AND AN
	Number of Vi	olation Events	2		28 Number	of violation day	ys	VORTICATION AND AND AND AND AND AND AND AND AND AN
	mark only one with an x	daily monthly quarterly semiannual annual single event	X		V V	Violation Bas	e Penalty	\$500
	Two quarter	ly events are r 2	recommended 23, 2007, to the	(one for each pe date of screen	lane) from the date ing, June 20, 2007.	of the investiga	tion, May	
Economic Benefi	t (EB) for th	is violation	<b>l</b>		Statut	ory Limit Te	st	Control of the contro
	Estimate	d EB Amount	:	\$602	Viola	ation Final Pen	alty Total	\$525
				This violation 5	inal Assessed Pen	alty (adjusted	for limite)	\$525
				iiliə Viuldüüll F	mai Məəcəəcu Pell	any (aujusieu	is milita)	24 or 9 12 12 12 12 12 12 12 12 12 12 12 12 12

Reg. Ent. Reference No. Media Violation No.	Public Water S	upply			in the state of th	Percent Interest	Years of Depreciation
Violation ivo.				16		5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		(Bisk Mest 2 r no	ilo akoab			
Delayed Costs Equipment	\$10,000	23-May-2007	1-Apr-2008	0.9	\$29	\$574	\$602
Buildings	ψ10,000	20-Way-2007	1-Apr-2000	0.0	\$0	\$0	\$0
Other (as needed)			REPORT OF THE PARTY OF THE PART	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling	Control of the State Aug			0.0	\$0	n/a	\$0
Remediation/Disposal		31.00		0,0	\$0`	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
remit costs	and the salar spatial and the salar at	and the first of the state of t	decrease the second and the	JI 0,0		10.04	Ψ-0
Other (as needed)	The delayed	I cost includes the a	mount to increase	0.0 e the pre	\$0 essure tank capaci	n/a ty to a minimum of 2	\$0 0 gallons per
Other (as needed)  Notes for DELAYED costs  Avoided Costs	connection for	pressure planes two	and three, calcu	0.0 e the pre lated from complian	ssure tank capaci m the date of the i ce.g. sygrat is based item (except for	n/a ty to a minimum of 2 nvestigation to the e	\$0 0 gallons per stimated date o
Other (as needed)  Notes for DELAYED costs	connection for	pressure planes two	and three, calcu	0.0 e the pre lated from complian	\$0 essure tank capaci m the date of the i	n/a  ty to a minimum of 2 nvestigation to the e  one-time avoided c \$0 \$0	\$0 0 gallons per stimated date c
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal	connection for	pressure planes two	and three, calcu	e the pre lated from compliantering	ssure tank capaci m the date of the i ce	n/a  ty to a minimum of 2 nvestigation to the e  one-time avoided c  \$0  \$0  \$0	\$0 0 gallons per stimated date costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel	connection for	pressure planes two	and three, calcu	e the pre lated from compliant entering 0.0 0.0	\$0  assure tank capaci in the date of the i co. assyrat filter item (except for \$0 \$0	n/a  ty to a minimum of 2 nvestigation to the e  cone-time avoided c  \$0  \$0  \$0  \$0	\$0 0 gallons per stimated date of sosts) \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling	connection for	pressure planes two	and three, calcu	the prelated from compliants on the compliants of the compliants on the compliants of the compliants o	ssure tank capaci m the date of the I ce. systal Factorial item (except for \$0 \$0 \$0 \$0	n/a  ty to a minimum of 2 nvestigation to the e  cone-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 0 gallons per stimated date of stimated date of stimated state of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	connection for	pressure planes two	and three, calcu	e the pre- lated from compliants of the complian	ssure tank capaci m the date of the i ce	n/a  ty to a minimum of 2 nvestigation to the e  cone-time avoided co  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$	\$0 0 gallons per stimated date of stimat
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	connection for	NUALIZE [1] avoide	and three, calcu	the prelated from compliants on the compliants of the compliants on the compliants of the compliants o	ssure tank capaci m the date of the I ce. systal Factorial item (except for \$0 \$0 \$0 \$0	n/a  ty to a minimum of 2 nvestigation to the e  cone-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 0 gallons per stimated date of stimated date of stimated state of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date 20-Jun-2007 Docket No. 2007-1051-PWS-E	PCW
Respondent Monarch Utilities I L.P. Policy Re	vision 2 (September 2002)
	CW Revision May 25, 2007
Reg. Ent. Reference No. RN101376283	
Media [Statute] Public Water Supply	
Enf. Coordinator Epifanio Villarreal	
Violation Number 2	
Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(D)(iv) and Tex. Health & Safety Code § 341.0315(c)	
Failed to provide a pressure tank capacity of 20 gallons per connection for pressure plane five. Specifically, based on the number of connections, the system should provide minimum pressure tank capacity of 7,560 gallons for pressure plane five's 378 connections. However, the system only provided 7,500 gallons for pressure plane five, which is 1% deficient.	
Base Penalty	\$1,000
>> Environmental, Property and Human Health Matrix	
Harm	•
Release Major Moderate Minor	
OR Actual Potential X Percent 10%	
Potential x Percent 10%	
>>Programmatic Matrix	
Falsification Major Moderate Minor	
Percent 0%	
Without sufficient pressure tank capacity, customers of the water system could experience low pressure and water outages, and the system's ability to provide a safe and adequate supply of water to	
Notes Notes Pressure and water outages, and the system's ability to provide a sale and adequate supply of water to	
Adjustment \$900	
是在1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间,1912年19日间	<b>#</b> 400
	\$100
Violation Events	4
Number of Violation Events 1 28 Number of violation days	
■ PCC/SAGPYCZU WOOD U GOOF PT OF A PC	1
daily	
monthly Violation Base Penalty	\$100
with an x semiannual	· · · · · · · · · · · · · · · · · · ·
annual	
single event x	
	1
One single event is recommended.	,
Orie single event is recommended.	
	9
Economic Benefit (EB) for this violation Statutory Limit Test	an in Subsection Theory is also
Estimated EB Amount \$301 Violation Final Penalty Total	\$105
This violation Final Assessed Penalty (adjusted for limits)	\$105
	BUTCA COMPANY

Media Violation No.	RN101376283 Public Water S 2	upply				Percent Interest	Years of Depreciation
		ac fielding			. Un Majktaberker (	5.0	1:
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description  Delayed Costs				( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )		Puid (Bin(P3))	
Equipment	\$5,000	23-May-2007	1-Apr-2008	0.9	\$14	\$287	\$301
Buildings	ψο,οοο		11.10	0.0	\$0	\$0	\$0
Other (as needed)	Difference someony	255 (1050 (1971)		0.0	\$0	\$0	\$0
Engineering/construction	3 3 3 3 4 10 3	3.474/9-2314/9-24	0. 3 4. 719(T)	0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
				1 00	\$0	n/a	\$0
			l	0.0	]	IVa	
Training/Sampling				0.0	\$0	n/a	\$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)	The delayed	cost includes the	amount to increase	0.0 0.0 0.0 the pre	\$0 \$0 \$0 ssure tank capaci	n/a n/a n/a n/a ty to a minimum of 2	\$0 \$0 \$0 0 gallons per
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 e the pre from the	\$0 \$0 \$0 ssure tank capaci date of the investi ce.	n/a n/a n/a n/a ty to a minimum of 2 gation to the estima	\$0 \$0 \$0 0 gallons per ted date of
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 e the pre from the complian	\$0 \$0 \$0 ssure tank capaci date of the investi ce.	n/a n/a n/a n/a ty to a minimum of 2 gation to the estima	\$0 \$0 \$0 0 gallons per ted date of
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 e the pre from the complian	\$0 \$0 \$0 ssure tank capaci date of the investi ce.	n/a n/a n/a ty to a minimum of 2 gation to the estima	\$0 \$0 \$0 0 gallons per ted date of
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 e the pre- from the complian ntering	\$0 \$0 \$0 ssure tank capaci date of the investi ce.	n/a n/a n/a n/a ty to a minimum of 2 gation to the estima one-time avoided c \$0 \$0	\$0 \$0 \$0 0 gallons per ted date of osts) \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	connectio	n for pressure plar	ne five, calculated t	the prefrom the complian of the prefrom the complian of the prefrom the complian of the prefrom the pr	\$0 \$0 \$0 ssure tank capaci date of the investi ce. item (except for \$0 \$0	n/a n/a n/a n/a sy to a minimum of 2 gation to the estima one-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 \$0 0 gallons per ted date of osts) \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/equipment	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 0.0 e the pre- irom the complian ntering 0.0 0.0	\$0 \$0 \$0 ssure tank capaci date of the investi ce. item (except for \$0 \$0 \$0	n/a n/a n/a n/a sy to a minimum of 2 gation to the estima cone-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 \$0 0 gallons per ted date of osts) \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 e the preferent the complian intering 0.0 0.0 0.0	\$0 \$0 \$0 \$0 ssure tank capacidate of the investice.  Item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ty to a minimum of 2 gation to the estima cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 0 gallons per ted date of osts) \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOICED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplles/equipment	connectio	n for pressure plar	ne five, calculated t	0.0 0.0 0.0 e the preferent the complian entering 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 ssure tank capacidate of the investice.  item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a ty to a minimum of 2 gation to the estima cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 0 gallons per led date of osts) \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	connectio	n for pressure plar	ed costs before e	0.0 0.0 0.0 e the prefrom the complian of the	\$0 \$0 \$0 ssure tank capaci date of the investi ce. Item (except for second seco	n/a n/a n/a ty to a minimum of 2 gation to the estima cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 0 gallons per ted date of osts) \$0 \$0 \$0 \$0

Screening	<b>Date</b> 20-Jun-2007	Docket N	<b>lo.</b> 2007-1051-PWS-E	PCW
Respo	ndent Monarch Utilities I L.P.			Policy Revision 2 (September 2002)
Case I	<b>D No.</b> 34101			PCW Revision May 25, 2007
Reg. Ent. Reference				
	atute] Public Water Supply			
	inator Epifanio Villarreal			
Violation N				
Kule	Cite(s)	30 Tex. Admin. Code § 2	90.42(e)(5)	
Violation Desc			tainers at plants 1, 2, 3, 4, an weather conditions and vanda	
		•	Base	Penalty \$1,000
>> Environmental, Pro	perty and Human Health Ma	ıtrix		
F	Harm Release Major Moderate	Minor		
OR	Actual			
F	otential x		Percent 25%	
			nerven Satas	'
>>Programmatic Matri	<b>K</b> fication Major Moderate	Minor		
1 alsi	Major Mederate	7	Percent 0%	
			<u> </u>	
Matrix Notes With	out proper housing and containme water supply could be exposed to levels tha	ent for chemicals and equi significant amounts of cor it are protective of human	ntaminants, which would not en health.	exceed
elisa kanan da sanan da sanan Sanan da sanan da sa		nertitle Shaker i 1945 - 1870 Shake	Adjustment	\$750
		•		\$250
				22.4 000 0 0000 000000000000000000000000
Violation Events		opiomorate del composito d	Cardylonio Si Salas and Salas Salas Cardylonia (1995).	
Niversh	ver of Violation Events	T 28	Number of violation days	•
Numb	er of Violation Events 5		INUITIDE OF VIOLATION days	,
	daily	7		
,	monthly			
mark	only one quarterly x		Violation Base	Penalty \$1,250
wit	h an x semiannual			
	annual			·
	single event			
Fiv	e quarterly events are recommend 23, 2007, to	ed (one for each plant) fro the date of screening, Jun	om the date of the investigatione 20, 2007.	on, May
Economic Benefit (EB	) for this violation		Statutory Limit Tes	
	ka ka da aka 11 a ka ka makalina kilokoliki ka ka adinana ke-aa mandan ana membana ka didanahan dahan dahan da		SCHICLE FOR BEING CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONT	
E	stimated EB Amount	\$136	Violation Final Pena	Ity Total \$1,313
		This violation Final As	sessed Penalty (adjusted fo	or limits) \$1,313

	RN101376283 Public Water S	upply	e .			Percent Interest	Years of
Violation No.	3	nacesama anacesas estados como	manacaman magamas Jasa G.	. 1/10/2/8/93/8	ADSSESSOR SANCESTI	THE POSSESS OF ACT AND ADDRESS OF A STATE	Depreciation
					o at off the first live. At	5.0	1
2011年 <b>東</b> 藤田島 出版管	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description  Delayed Costs	15	Standard in Color of Standard Standard				ennale elektrik Medicen (j. 1001)	
Equipment				0.0	\$0	\$0	\$0
Bulldings	\$2,500	23-May-2007	1-Mar-2008	8,0	\$6	\$129	\$136
Other (as needed)			The second second	0,0	\$0	\$0	\$0
Engineering/construction	1 1 1 1 1 1 1 1 1			0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
recera recorning cyclem	titi mintaritation or constitution						
Training/Sampling				0.0	\$0	n/a	\$0
	in the second se			0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)	The delayed o			0.0 0.0 0.0 0.0	\$0 \$0 \$0 hypochlorination	n/a n/a n/a solution containers,	\$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		the date c	of the investigation	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 hypochlorination stimated date of o item (except for \$0 \$0 \$0 \$0	n/a n/a n/a n/a solution containers, compliance.  one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 calculated from \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		the date c	of the investigation	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 hypochlorination stimated date of c item (except for \$0 \$0 \$0 \$0	n/a n/a n/a n/a solution containers, compliance.  one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 calculated fron \$0 \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	the date of	of the investigation	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 hypochlorination stimated date of o item (except for \$0 \$0 \$0 \$0	n/a n/a n/a n/a solution containers, compliance.  one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 calculated fror \$0 \$0 \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANN	the date c	of the investigation	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 hypochlorination stimated date of c item (except for \$0 \$0 \$0 \$0	n/a n/a n/a n/a solution containers, compliance.  one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 calculated fror \$0 \$0 \$0 \$0 \$0

Screening Date	20-Jun-2007	Docket No. 2007-1051-PWS-E	PCW
Respondent	Monarch Utilities I L.P.		Policy Revision 2 (September 2002)
Case ID No.	34101		PCW Revision May 25, 2007
Reg. Ent. Reference No.	RN101376283		
Media [Statute]	Public Water Supply		
Enf. Coordinator	Epifanio Villarreal		MARKET MARKET
Violation Number	4		
Rule Cite(s)		30 Tex. Admin. Code § 290.41(c)(3)(O)	
Violation Description		ruder-resistant fence to protect plant 2. Specifically, the investigator observed a large gap in the gate at	plant 2.
			Base Penalty \$1,000
>> Environmental, Property a			
Pologo	Harm Major Madarat		
OR Release			
Potential		X Percent 10	0%
>>Programmatic Matrix			
Falsification	Major Modera		201
ratities (Mari		Percent (	0%
Matrix Not provi Notes insignificant	ding proper intruder resis amount of pollutants wh	stant protection for the water well could expose the nich would not exceed levels that are protective of h	public to a uman health.
	Sala da Sala Barrera	Adjustment	\$900
	HEADE	的。 第二章	
			\$100
Violation Events			
Number of Vic	olation Events 1	35 Number of violation	n days
ramon of vi			•
mark only one with an x	daily monthly quarterly semiannual annual single event x	Violation	Base Penalty \$100
	On	e single event is recommended.	
Economic Benefit (EB) for th	nis violation	Statutory Limit	t Test
Estimate	d EB Amount	\$3 Violation Final	Penalty Total \$105
	E		4- 4 5- 11-14-1
	CANALET CALL IN A REGULATURE	This violation Final Assessed Penalty (adjus	sted for limits) \$105

	3-2W9-re01	conomic	Benefit W	orks	sheetos-oo	megapaken mo	arkii .
	t Monarch Utilitie		ini alifa basanasa 2.		MARITANICE OFFICE		
Case ID No							
Reg. Ent. Reference No	70						
	a Public Water S	unnhu				rangselegear a managadera aret	Years of
Violation No		uppiy				Percent Interest	Depreciation
Violation No	¥ <b>4</b>				- or experience/secondarin		1.00
					NV s GLORAGICA	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$	ислия 00% д'обс	a dimbA aot 6			nedesas akar antar - s	
		-			•		
Delayed Costs	Ś		A Modella State	Caldina			
Equipment				0,0	\$0	\$0	\$0
Bulldings	grofficaci S	Engenericker i		. 0,0	\$0	\$0	\$Ó
Other (as needed)	\$500	23-May-2007	27-Jun-2007	∄0.1∷	\$0	\$3	\$3
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	ST. Sh		The state of the s	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal			T.,	0,0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	E452-11-15 11-15		San designation of the manufacture and the	0.0	\$0	n/a	\$0
				377 g   <b>6 8</b> ,755	Property and the second	eli ole di la characta il di	and other state and
Notes for DELAYED costs	Estimated cost	ls to repair the gap		t 2, calc omplian		te of the investigatio	on to the date of
			O DA	ómplian	ce.	- 688 al-off - T	
Notes for DELAYED costs  Avoided Costs  Disposal			O DA	ómplian	ce.	tes de de	
Avoided Costs			O DA	omplian ntering	ce. Item (except for	one-time avoided c	osts)
Avoided Costs			O DA	omplian  ntering  0.0	item (except for	one-time avoided c	osts)
Avoided Costs  Disposal  Personnel			O DA	omplian  ntering  0.0  0.0  0.0  0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling			O DA	ntering 0.0 0.0	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment			O DA	omplian  ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	S ANN	UALIZE [1] avoid	ed costs before	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		UALIZE [1] avoid	O DA	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	S ANN	UALIZE [1] avoid	ed costs before	mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANN	UALIZE [1] avoid	ed costs before e	mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN	UALIZE [1] avoid	ed costs before e	mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN	UALIZE [1] avoid	ed costs before e	mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN	UALIZE [1] avoid	ed costs before e	mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for a \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	20-Jun-2007	Docket No. 2	:007-1051-PWS-E	PCW
Respondent	Monarch Utilities I L.P.		Po	licy Revision 2 (September 2002)
Case ID No.	34101			PCW Revision May 25, 2007
Reg. Ent. Reference No.	RN101376283			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Epifanio Villarreal			
Violation Number	5			
Rule Cite(s)		30 Tex. Admin. Code § 290.46	(m)(4)	
		30 Tex. Admin. Code 9 230.40	(III)( <del>-1</del> )	
Violation Description	distribution system	treatment units, storage and pre lines and related appurtenance sight glass valve, located on the	s in a watertight condition.	
			Base Per	nalty \$1,000
1903AU 1907AU	enganataran kenantakan kenada bahan kenada bahan kenada bahan bahan bahan da kenada ang da kenada bahan bahan			
>> Environmental, Property a		atrix	n is supplied of the second of the	
Release	Harm Major Moderate	Minor		
OR Actual				
Potential			Percent 25%	
	L	U	<u> </u>	
>>Programmatic Matrix	District of the Control of the Contr			
Falsification	Major Moderate	Minor		
HAMP Capal			Percent 0%	
Matrix Notes Failure to m	naintain the water system water system which wou	in a watertight condition, could a uld not exceed levels protective	of human health.	55
	and the complete state of the complete state	Ac	ljustment	\$750
				\$250
				φ230
Violation Events	decide Paris	and the State of the Control of the	eschia debas de	
TIOIGUA TEAMO	SALINOHAA ADDOORSE		NEW CONTRACTOR OF THE PROPERTY OF THE	Parameter .
Number of Vi	olation Events 1	8	Number of violation days	
	daily			
	monthly		Waletian Base De	nalty \$250
mark only one with an x	quarterly x semiannual		Violation Base Pe	nany \$230
with an x	annual			,
	single event			,
	T. M. PASSISTIMATA P. S.			
One quarte		I from the date of the investigati compliance, May 31, 2007.	on, May 23, 2007 to the dat	e of
Economic Benefit (EB) for th	nis violation	M SPORTS LAKE	Statutory Limit Test	
Economic Denem (ED) for th	แอ งเบเลแบน	The Company of the Park State of The Company of the	otatutory Emit 163t	
Estimate	d EB Amount	\$0	Violation Final Penalty	Total \$263
		This	ad Danathy (adhrested for the	mita) ¢oco
	ELEKSTOR SER COASTIONE	This violation Final Assess	ea Penaity (adjusted for II	mits) \$263

		conomic l	Benefit W	orks	heet	k jelsji (yairen	
Respondent							
Case ID No.							
Reg. Ent. Reference No.							
Media	Public Water S				ing See Table	Percent Interest	Years of
Violation No.	5				CONTROLEMENT AND CONTROL		Depreciation
					n per ovalnika in krije	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	(in probable species with a	Friimis August (b)			muralistics.	
100 - 100 -	Probabilities of the section of the		CONTRACTOR STREET STREE			recovered to the control of the cont	
Delayed Costs	- нетрименцикаттика	(1) The State of t			ender sidde ar fil f		
Equipment	Halipawanan santa		Control Mad or a construction	.0.0	\$0	\$0	\$0
Buildings	BUSIN	respirate a series of	and the province of the state o	0,0	\$0	\$0	\$0
Other (as needed)	\$300	23-May-2007	31-May-2007	0.0	\$0	\$0	\$0
Engineering/construction	a de la companya de l		JAHARIA LEEKA EL	0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System		Education of the State of the S		0.0	\$0	n/a	\$0
Training/Sampling	100			0.0	\$0	n/a	\$0
Remediation/Disposal				0,0	\$0	n/a	\$0
Permit Costs	777777						
i citilit costs	الصائية والمراجعة التا			0.0	\$0	n/a	\$0
Other (as needed)			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.0	\$0	w.ne.	\$0 
	The delayed co	ost includes the amo		0.0	\$0 culated from the da		\$0 
Other (as needed)  Notes for DELAYED costs	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0 eak, cald omplian	\$0 culated from the do	ete of the investigati	\$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0 eak, cald omplian	\$0 cel	n/a ate of the investigati	\$0 on to the date of osts)
Other (as needed)  Notes for DELAYED costs	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0 eak, cald omplian	\$0 culated from the do	ete of the investigati	\$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0 eak, cald omplian ntering 0.0	\$0 Julated from the date.	ate of the investigati	\$0 on to the date of osts)
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	eak, cald omplian ntering 0.0 0.0	\$0 ce item (except for \$0 \$0	n/a ate of the investigati	\$0 on to the date of osts) \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0 eak, cald omplian ntering 0.0 0.0	\$0 ce litem (except for \$0 \$0 \$0	n/a ate of the investigati	so sts)
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0 eak, cald omplian ntering 0.0 0.0 0.0	\$0  cellitem (except for \$0 \$0 \$0 \$0 \$0	n/a ate of the investigati	so sts)  \$0  osts)  \$0  \$0  \$0  \$0  \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling  Supplies/equipment Financial Assurance [2]	Mehanan ora ili.		ได้รับไร้ใน เกิดเหมือนครับกับสอบเหตุแลกละใหญ่	0.0  eak, calcomplian  ntering 0.0 0.0 0.0 0.0 0.0	\$0  cellated from the decellatem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ate of the investigati one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 on to the date of osts) \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Mehanan ora ili.	IUALIZE [1] avoid	ed costs before e	0.0  mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0  ce.  item (except for section of section	n/a ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 on to the date of  s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN	IUALIZE [1] avoid	ed costs before e	0.0  mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0  ce.  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	n/a ate of the investigati one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 on to the date of osts) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN	IUALIZE [1] avoid	ed costs before e	0.0  mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0  ce.  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	n/a ate of the investigati one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 on to the date of osts) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date 2		Docket No. 20	07-1051-PWS-E	PCW
• · · · · · · · · · · · · · · · · · · ·	Monarch Utilities I L.P.		Policy Re	vision 2 (September 2002)
Case ID No. 3			Pi	CW Revision May 25, 2007
Reg. Ent. Reference No. I	RN101376283			THE STATE OF THE S
Media [Statute] F				
Enf. Coordinator				
Violation Number	6		-	**************************************
Rule Cite(s)	30 Tex. Admin. Code § 29	90.45(b)(1)(D)(iii) and Tex. Health	n & Safety Code § 341.0315(c)	
Violation Description	minute ("gpm") per con investigation, the investi of 656 gpm of service pu	more service pumps having a to inection for pressure plane two. S gator noted that that the system i mp capacity for 328 connections essure plane two, which is 54% d	pecifically, at the time of the s required to have a minimum but only provided 300 gpm for	
			Base Penalty	\$1,000
>> Environmental, Property ar	nd Human Health Ma	atrix	CONTRACTOR SINGS	
	Harm			
Release	Major Moderate	Minor		
OR Actual		- Po	ercent 50%	
Potential	x		30 /6 j	
>>Programmatic Matrix	PARTY Commenced	NIEDE CHARLESTER OF THE PROPERTY	n	
Falsification	Major Moderate	Minor		
10000000000000000000000000000000000000		Pe	ercent 0%	
AGE STATE OF THE S			·	
Matrix Without su	efficient total canacity cus	stomers of the water supply could	I possibly experience water	
Notes outages an	d the system's ability to p	provide a safe and adequate water	er supply could be impaired.	
i de la		4		
	SERVICE CONTRACTOR	CONTRACTOR INTERPRETARION	ustment \$500	
	SERVINICISE SERVE		usument — — — — — — — — — — — — — — — — — — —	
The state of the s			'	\$500
WIGHT STANDARD CO. T. L. C.	TATISAN BARANSA PERENTAN PARAMANAN			,
Violation Events	macra de la companya	ALLES EN STANDARD PROPERTY OF THE SHARE	The second state of the second	
Number of Vio	lation Events 1		umber of violation days	
Number of vio	lation Events 1		ambor of Holadon days	
	daily			DESCRIPTION OF THE PROPERTY OF
	monthly x			
mark only one	quarterly		Violation Base Penalty	\$500
with an x	semiannual			
	annual			
	single event			and the state of t
The state of the s				i
One monthly		from the date of the investigation	, May 23, 2007, to the date of	
	;	screening, June 20, 2007.		
U				-
Economic Benefit (EB) for thi	s violation	atellication and the state of the S	tatutory Limit Test	Constitute Landson
Estimated	I EB Amount	\$301	Violation Final Penalty Total	\$525
	A	This add the Pinch A	d Donalty (adjusted for limite)	\$525
	a contraction	inis violation Final Assesse	d Penalty (adjusted for limits)	<u> </u>

Reg. Ent. Reference No. Media Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
					ia, principity, supposite	5.0	18
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		(0)(0)(1)(0)(0)	<b>9</b> 9 8 janua	onomiano de 1869 de		
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Other (as needed)	\$5,000	23-May-2007	1-Apr-2008	0.9	\$14	\$287	\$301
Engineering/construction	1. 1. (1. (2.1)		i frys y negannyg (27) yr	0.0	\$0	\$0	\$0
Land	149 501		rwar ar a	0.0	\$0	n/a	\$0
Record Keeping System				0.0	.\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	The delaye	d cost includes the	amount to increas	] <u>0.0</u> se the ser	\$0 vice pump capac	n/a ity to 2.0 gpm per co	\$0 onnection for
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### **Compliance History**

Customer/Respondent/Owner-Operator:

CN602740706

Monarch Utilities I L.P.

Classification: AVERAGE

Rating: 1.95

Regulated Entity:

RN101376283

METROPLEX HOMESTEADS WATER SUPPLY

Classification:

Site Rating:

ID Number(s):

REGISTRATION

PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING

LICENSE

1260074 1260074

Location:

9218 GINA LN. JOHNSON COUNTY, TX

TCEQ Region:

**REGION 04 - DFW METROPLEX** 

Date Compliance History Prepared:

June 20, 2007

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

June 20, 2002 to June 20, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Epifanio Villarreal

Phone:

(210) 403-4033

#### Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

Yes

2. Has there been a (known) change in ownership of the site during the compliance period?

Yes

3. If Yes, who is the current owner?

MONARCH UTILITIES I L.P.

4. if Yes, who was/were the prior owner(s)?

**TECON WATER COMPANY** 

5. When did the change(s) in ownership occur?

July 30, 2004

#### Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

В. Any criminal convictions of the state of Texas and the federal government.

C. Chronic excessive emissions events.

N/A

The approval dates of investigations. (CCEDS Inv. Track. No.) D.

12/09/2004

(337587)

06/28/2005

(395688)

06/15/2006

(462591)

06/05/2007

(562258)

Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

Date: 12/03/2004

(337587)

Self Report?

Classification:

Minor

Citation: Description: 30 TAC Chapter 290, SubChapter D 290.43(c)(5)

Failure to locate or design the position of the inlet connections on the ground storage tanks to prevent short circuiting or stagnation of water. The inlets on the ground storage tanks located at pump stations #1, 3, 4, & 5 must be connected so as to

prevent the stagnation of water within the tanks.

Self Report? Classification: Moderate NO

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(i)

Failure to provide two or more wells having a total capacity of 0.6 gallons per minute Description:

per connection.

Classification: Moderate Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(iv)

Failure to provide pressure capacity of 20 gallons per connection (maximum capacity Description:

of 30,000 gallons for up to 2500 connections) for Pressure Plane #2, #3 and #5.

Classification: Self Report? NO Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(iii)

Description: Failure to provide a service pump capacity of at least 2.0 gallons per minute per

connection. Self Report? NO Classification:

Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)

Failure to provide the ground storage tank at pump station #5 with a properly Description:

designed overflow pipe.

F. Environmental audits.

N/A

Type of environmental management systems (EMSs). G.

Voluntary on-site compliance assessment dates. Η.

N/A

Participation in a voluntary pollution reduction program. ١.

Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
MONARCH UTILITIES I L.P.	§	TEXAS COMMISSION ON
RN101376283	§	
	§	ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2007-1051-PWS-E

#### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Monarch Utilities I L.P. ("Monarch Utilities") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Monarch Utilities appear before the Commission and together stipulate that:

- 1. Monarch Utilities owns and operates a public water supply at 9218 Gina Lane in Johnson County, Texas (the "Facility") that has approximately 1,058 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and Monarch Utilities agree that the Commission has jurisdiction to enter this Agreed Order, and that Monarch Utilities is subject to the Commission's jurisdiction.
- 3. Monarch Utilities received notice of the violations alleged in Section II ("Allegations") on or about June 23, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Monarch Utilities of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Two Thousand Eight Hundred Thirty-Five Dollars (\$2,835) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Monarch Utilities has paid Two Thousand Two Hundred Sixty-Eight Dollars (\$2,268) of the administrative penalty and Five Hundred Sixty-Seven Dollars (\$567) is deferred contingent upon Monarch Utilities' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this

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Agreed Order. If Monarch Utilities fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Monarch Utilities to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and Monarch Utilities have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that Monarch Utilities implemented the following corrective measures at the Facility:
  - a. Submitted photographs on May 31, 2007, demonstrating that the leaking sight glass valve on plant 4's pressure tank has been repaired; and
  - b. Submitted photographs on June 27, 2007, demonstrating that the gap in the gate at plant 2 was repaired.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Monarch Utilities has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

#### II. ALLEGATIONS

As owner and operator of the Facility, Monarch Utilities is alleged to have:

- 1. Failed to provide a pressure tank capacity of 20 gallons per connection for pressure planes two, three, and five, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(D)(iv) and Tex. Health & Safety Code § 341.0315(c), as documented during an investigation conducted on May 23, 2007.
- 2. Failed to house the hypochlorination solution containers at plants 1, 2, 3, 4, and 5 in secure enclosures to protect them from adverse weather conditions and vandalism, in violation of 30 Tex. Admin. Code § 290.42(e)(5), as documented during an investigation conducted on May 23, 2007.
- 3. Failed to provide an intruder-resistant fence to protect plant 2, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O), as documented during an investigation conducted on May 23, 2007.

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- 4. Failed to maintain all treatment units, storage and pressure maintenance facilities, distribution system lines and related appurtenances in a watertight condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(4), as documented during an investigation conducted on May 23, 2007.
- 5. Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection for pressure plane two, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(1)(D)(iii) and Tex. Health & Safety Code § 341,0315(c), as documented during an investigation conducted on May 23, 2007.

#### III. DENIALS

Monarch Utilities generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Monarch Utilities pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Monarch Utilities' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Monarch Utilities I L.P., Docket No. 2007-1051-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that Monarch Utilities shall undertake the following technical requirements:
  - a. Within 60 days after the effective date of this Agreed Order, secure the hypochlorination solution containers at plants 1 through 5, in an enclosure that protects them from vandalism and adverse weather conditions, in accordance with 30 Tex. ADMIN. CODE § 290.42.
  - b. Within 75 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.d., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.
  - c. Within 90 days after the effective date of this Agreed Order:
    - i. Provide a pressure tank capacity of 20 gallons per connection for pressure planes two, three, and five, in accordance with 30 Tex. ADMIN. CODE § 290.45.

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- ii. Provide a service pump capacity of 2.0 gpm for pressure plane two, in accordance with 30 Tex. ADMIN. CODE § 290.45.
- d. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2301 Gravel Drive Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon Monarch Utilities. Monarch Utilities is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Monarch Utilities shall be made in writing to the Executive Director. Extensions are not effective until Monarch Utilities receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against Monarch Utilities in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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Monarch Utilities I L.P. DOCKET NO. 2007-1051-PWS-E Page 5

- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Monarch Utilities, or three days after the date on which the Commission mails notice of the Order to Monarch Utilities, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

### SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions;

TCEQ seeking other relief as authorized by law.

Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Name (Printed or typed)
Authorized Representative of
Monarch Utilities I L.P.

For the Commission	
Jolu Sallin	11/16/2007
For the Executive Director	Date
attached Agreed Order on behalf of the entity	the attached Agreed Order. I am authorized to agree to the indicated below my signature, and I do agree to the terms knowledge that the TCEQ, in accepting payment for the epresentation.
I also understand that failure to comply with the timely pay the penalty amount, may result in:	e Ordering Provisions, if any, in this order and/or failure to
• A negative impact on compliance history	ry;
<ul> <li>Greater scrutiny of any permit application</li> </ul>	
• Referral of this case to the Attorney (	General's Office for contempt, injunctive relief, additiona

Automatic referral to the Attorney General's Office of any future enforcement actions; and

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues

9-6-07 Date

In addition, any falsification of any compliance documents may result in criminal prosecution.

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